

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
TAN D. NGUYEN, GENERAL  
COUNSEL  
2771 PALMETTO DR  
CARLEBAD, CALIFORNIA 95009  
(760) 930-9319  
FACSIMILE (760) 930-9319  
TAN D. NGUYEN@FECLEGAL.NET  
AUG 13 P 2:01

August 13, 2007

Jeff S. Jordan  
Supervisory Attorney  
Complaints Examination & Legal Administration  
Federal Election Commission  
999 E Street, N.W.  
Washington, DC 20463

RE: MUR 5924

Dear Mr Jordan:

I am writing to answer a complaint made by Mr Gary Schons, on behalf of California Attorney General Edmund G. Brown Jr. I am also enclosing a chronological order of events that led to the California Attorney General's State Police raiding my home and campaign headquarters.

I don't believe we violated any FEC laws in regards to the so called "intimidation letter" that was sent out to voters in California's 47<sup>th</sup> Congressional District. I never approved nor authorized the letter that was mailed. Mr Schons and the California Attorney General's office came to the same conclusion with their own investigation. This was widely reported in the Orange County Register, Los Angeles Times, and other media outlets on May 17, 2007.

Furthermore, the specific allegations of possible violations of the Federal Campaign Laws, made by the California Attorney General's Office, can't possibly be substantiated because of the following:

1. The letter in question, which was sent by an individual (other than myself or the campaign) with his own expense, did not suggest voting for or

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against anyone's candidacy. It merely urged citizens to exercise their voting franchise, and warned that people who were not citizens are not authorized to vote. It is therefore ludicrous to suggest that the letter in question could be either a campaign contribution or expense. In fact, there is no way to determine how illegal voters might have voted.<sup>1</sup>

*Even if the content of the letter was ignored, and by some stretch of logic was considered a campaign mailer, it still could not be considered a campaign contribution, nor a campaign expenditure, as I was unaware of the contents until after the letter had been mailed.*

2. On September 17, in an email replied to Mr. Rudman, I specifically rejected the contents of the letter for our campaign. I was surprised to find out, after the letter was sent, that it was a similar to the one I had rejected.
3. In the email streams between Mr. Rudman, the licensed Spanish translator- Mr. Tapia, and Ms Dinh, I was specifically excluded and not copied with any of their correspondence. Apparently, it was the intention of Mr. Rudman and Mark Nguyen to keep me out of the loop.
4. While I was aware of the existence of a mailer outside of the campaign, I was unaware of its contents until after it was mailed.<sup>2</sup>

In the California Attorney General's complaint, he also made a point about my failure to file my FEC reports and the failure to appoint a new Treasurer within 10 days. The Treasurer's resignation was a direct result of the Attorney General's

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<sup>1</sup> During the course of our campaign, at least four mailers were sent out in Spanish (see Exhibits A-D). These mailers described some of the more blatant financial activities of Ms Loretta Sanchez. In the course of my going door-to-door, I was often approached by Hispanic individuals who told me they were undocumented (lacking a "mica") and thus couldn't vote. But, if they could vote, they would vote for me. The reasons they gave was that the behavior of Ms Sanchez was reminiscent of the corrupt, disgraced President Salinas.


<sup>2</sup> Even in Mr. Schorn's letter, he acknowledges that "the letter" was mailed on October 11, and there was no record of me being aware of the contents until October 12 and 13 (see Exhibit E).

State Police raid on my campaign headquarters. His actions not only intimidated my Treasurer, but effectively prevented anyone from wanting to replace her. Charging me with not filing the financial reports was even more ludicrous. I could not, and cannot, file the reports because the Attorney General seized my computers and files which contained all my campaign data.

The actions of the Attorney General's Office, in suggesting I violated these statutes, is reminiscent of the cliché anecdote about the child who murders his parents and then pleads for mercy because he is now an orphan. Had Mr. Lockyer not invaded my home and office, the Treasurer would have not resigned and I would have been able to file the FEC reports on a timely manner. To this date, my files have not been returned.

With the facts stated above, I am requesting that you please dismiss this case by August 31, 2007. In the event that the case is not dismissed, I would request that my response be made public.

Sincerely,

  
Tan Nguyen

PLEASE SEE ATTACHED  
CALIFORNIA CERTIFICATE

Enclosures:

1. Response to complaint
2. Chronology & History of the Attorney General's Activities
3. Complaint on former Attorney General of California, Bill Lockyer
4. Exhibits A-L

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**CALIFORNIA JURAT WITH AFFIANT STATEMENT**

State of California

County of San Diego } ss

☒ See Attached Document (Notary to cross out lines 1-6 below)

☐ See Statement Below (Lines 1-5 to be completed only by document signer[s], not Notary)

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
5 \_\_\_\_\_  
6 \_\_\_\_\_  
Signature of Document Signer No 1 \_\_\_\_\_ Signature of Document Signer No 2 (if any) \_\_\_\_\_

Subscribed and sworn to (or affirmed) before me on this

14 day of August, 2007, by  
Date Month Year

(1) Ton Dye Nguyen  
Name of Signer

☐ Personally known to me

☒ Proved to me on the basis of satisfactory evidence to be the person who appeared before me ( ) (.)

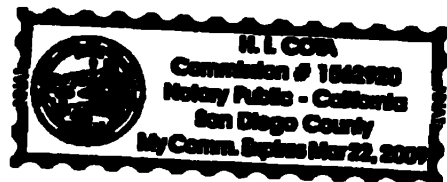
(and

(2) \_\_\_\_\_  
Name of Signer

☐ Personally known to me

☐ Proved to me on the basis of satisfactory evidence to be the person who appeared before me )

[Signature]  
Signature of Notary Public



Place Notary Seal Above

**OPTIONAL**

Though the information below is not required by law it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document

**Further Description of Any Attached Document**

Title or Type of Document

Document Date

Number of Pages

Signer(s) Other Than Named Above

Top of thumb here

Top of thumb here

Mark Nhan Nguyen

Anaheim, CA 92801

July 25, 2007

Mr Jeff S Jordan  
Supervisory Attorney  
Complaints Examination &  
Legal Administration

RE MUR 5924

Dear Mr Jordan,

My name is Mark Nhan Huu Vo Nguyen and I writing this letter in response to the complaint that indicates that I may have violated the Federal Election Campaign Act, MUR5924 I ask that no action should be taken against me in this matter The California Attorney Generals Investigation revealed that I did not cotummt any violations Furthermore, his investigation revealed that I have no personal reason or stake in having the letters sent out

The investigation also considered that I was not part of the plan or agreement to compose the letter and that I was unaware of the precise contents of the letter I truly hope that your review in this matter is in agreement with the Attorney General's conclusion of my innocence

Sincerely,



Mark Nguyen

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

2007 AUG - 1 P 3 17

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**California Coalition for Immigration Reform**

P O Box 2744-FMB-117 - Huntington Beach, CA 92649

Phone: (714) 665-2500 Fax: (714) 846-9682 WebSite: www.ccir.net E-Mail: barb@ccir.net

**RESPONSE TO MUR 5924**

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

2007 AUG 27 A 11:00

**SEQUENCE OF EVENTS**

**September 2006:**

o Tan Nguyen called Barbara Coe and expressed his concern about illegal aliens voting in forthcoming elections. Barbara Coe agreed that this has been a major concern of CCIR for many years.

o Barbara Coe advised that CCIR has legally shared California Voter Law with voters on multiple occasions. Our message was consistent: "Only Citizens Can Vote" - Violators Will Be Prosecuted (and the actual law was included). See attached flyer.

o Barb Coe firmed Tan Nguyen the actual CCIR documents on which the legal message had been repeatedly shared with ALL voters of every race and ethnicity on various CCIR forms, warning them about illegal aliens voting and urging them to report all incidents to the Registrar of Voters, Sec'y of State, etc., ALL in compliance with CA Election Guidelines.

o On two occasions, CCIR members carried placards and distributed these flyers in an area over 100 feet from a Huntington Beach polling place (as defined by CA Election Guidelines (as noted on the reverse side of flyer).

o Someone (name unknown) called Barb Coe and stated they were calling from Tan Nguyen's office. The caller (male) advised that they were thinking of sending a letter to illegal aliens telling them they could not vote. The caller did NOT advise they intended to use CCIR letterhead for this purpose.

Barb Coe responded, "How do you know who's legal and who's illegal - that's the stupidest idea I ever heard of."

Coe does not recall the entire conversation other than the caller advised he was going to send her a copy of the letter. Coe shared this conversation with Evelyn Miller and advised she would share the letter with Miller when received. Coe never received a copy of any letter and the situation was forgotten by both Coe and Miller.

**October 2006:**

**October 16, 2006**

The first Coe became aware of the subject letters was on the morning of October 16, 2006 when she received (via fax) a personal note and a copy of the letter on a facsimile of the CCIR letterhead. Coe immediately contacted Ev Miller and advised her of the situation.

Miller and Coe immediately checked the CCIR data base for the name of Sergio Ramirez wondering if we had a "mole" in our organization. Not finding that name, both were totally confused. Both believed that someone had gotten a copy of our CCIR letterhead (which would not be that difficult as we use it to send out letters on various subjects), and one of two types of people sent out the letter for one of two reasons:

A) A CCIR friend mistakenly believing this would share our message and prevent some illegal aliens from voting. OR

B) A CCIR enemy knowing that a letter of this nature could cause CCIR serious problems.

Both were both confused as to WHY, if someone was doing this for either reason, they would bother to alter the original CCIR letterhead format and logo. At no time did it occur to either Miller or Coe that this letter could have originated out of Tan Nguyen's office.

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**October 18, 2006**

Barbara Coe and Evelyn Miller were interviewed by CA Department of Justice Special Agents, Shannon Williams and Barbara Shakowski. As noted, at the time of this interview, neither Coe or Miller were aware of WHO had sent this letter nor WHY it was sent.

**October 19, 2006**

A call from Martin Wiskoll of the O/C Register to Barb Coe was the first time that Coe was made aware that the letter originated from Tan Nguyen's office. Coe then made 2 phone calls.

o The first call was to Tan Nguyen's campaign office demanding to know what was going on and that she had never even seen, much less ordered such a letter. Coe does not recall the name of the male who answered the phone nor the complete conversation but only that she demanded that Tan Nguyen publicly confirm that

- a) Coe had no knowledge of nor did she endorse the contents of this letter
- b) Coe did not authorize this letter be printed on either authentic or altered CCIR letterhead
- c) Coe was never advised of the contents of this letter, those to whom this letter was directed nor the mailing of this letter to those recipients

o The 2nd phone call was to Evelyn Miller advising her of what had occurred

**October 30, 2006**

Coe was requested to testify at the "Informational Hearing" called by Assemblyman Tom Umberg on behalf of the CA Secretary of State, Bruce McPherson (see attached agenda, program)

Coe was accompanied by Miller, testified as requested, and responded to the Panel's questions. Coe requested a copy of all testimony at this hearing. Although Coe was advised she would be provided this data, it was never sent to her.

#### **SUMMARY**

No action should be taken against Barbara Coe and the California Coalition for Immigration Reform for the following reasons:

- a) I do not know Mark Nguyen, Roger Rudman, Robert Tapia and Chi Dinh and have never worked with them
- b) Mark Nguyen is truthful when says he never provided Coe a copy of the letter via fax or e-mail. However, he is lying when he says I gave him a name, phone # and email address of someone in the (760) San Diego area he could contact and who would endorse (and/or sign?) this letter???
- c) I had no knowledge of nor did I use any of the email accounts of the above listed individuals. Also, since my computer expertise is limited to "on" and "off", I personally would not be capable of "using" another person's account. Also, after having reviewed all computer search documents, we see no proof of any misuse of e-mail accounts per Shannon Williams in the below paragraph.

Based on my training and experience as a law enforcement officer and all of the information contained herein, I believe that probable cause exists to believe that the e-mail accounts used by Barbara Coe, Tan Nguyen, Mark Nguyen, Roger Rudman, Robert Tapia and Chi Dinh, as described and identified herein, will contain messages, correspondence and attachments which pertain to and describe the process by which the letters sent to Orange County voters (Exhibit A) were originated, produced and sent and will demonstrate who was involved in the planning and execution of this scheme. Thus, these records will tend to show the existence of such a conspiracy or agreement, who was involved in it, and the execution of that agreement or conspiracy, and that this matter would therefore constitute matter which was used as a means of committing a felony, is possessed for the purposes of concealing it or preventing its discovery and which tends to show that a felony has been committed and that a particular person has committed a felony under Penal Code section 1524.

#### **Conclusion**

Per our right, we submit no action should be taken against Barbara Coe or CCIR as there is no proof of any wrongdoing on our part as there was no wrongdoing on our part in this situation.

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# ONLY CITIZENS

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# CAN VOTE!

**READ THIS STATEMENT AND WARNING PRIOR TO SIGNING**  
I am a citizen of the United States and will be at least 18 years of age at the time of the next election. I am not imprisoned or on parole for the conviction of a felony. I certify under penalty of perjury under the laws of the State of California that the information on this affidavit is true and correct.

**WARNING**

Perjury is punishable by imprisonment in state prison for two, three or four years. §126 Penal Code

# VIOLATORS WILL BE PROSECUTED!

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12044314081

**SEC. 216. CRIMINAL PENALTY FOR FALSE CLAIM TO CITIZENSHIP**  
Section 1015 of title 18, United States Code, is amended—  
(1) by striking the dash at the end of paragraph (d) and in  
writing - or - and  
(2) by inserting after paragraph (d) the following:  
"(e) Whoever knowingly makes any false statement or claim that  
he is, or at any time has been, a citizen or national of the United  
States, with the intent to obtain or benefit of himself, or any other  
person, any Federal or State benefit or service, or to engage unlaw-  
fully in employment in the United States, or  
(f) Whoever knowingly makes any false statement or claim that  
he is a citizen of the United States in order to register in the  
in vote in any Federal, State, or local election (including an initia-  
tive, recall, or referendum)";

## INSTRUCTIONS FOR USE IN CALIFORNIA

- PRIOR TO AND DAY OF NOV. 5th ELECTION**  
1. (CHOOSE LOCATIONS 100 FEET FROM THE LOCAL VOTING LOCATION)  
A. POST FLYER ON FENCES, PHONE POLES, ETC., WHERE OTHER NOVICES ARE POSTED  
(GARAGE SALES, ETC.) - RECORD NAMES, ADDRESSES OR PHONE NUMBERS OF OTHER  
NOVICES! IN THIS WAY IF YOU ARE CONTACTED, YOU ADVISE YOU ONLY DID WHAT  
OTHERS HAVE DONE. IF IN DOUBT, ASK THEM TO ONLY THOSE WHO ASK FOR IT (DO  
NOT URGE PEOPLE TO TAKE THE FLYER). AGAIN, INSURE YOU ARE 100 FEET FROM YOUR  
LOCAL VOTING LOCATION.

**SEC. 216. CRIMINAL PENALTY FOR VOTING BY ALIENS IN FEDERAL ELECTIONS**  
Section 610 of title 18, United States Code, is amended by  
inserting after section 610 the following:  
"(a) It shall be unlawful for any alien to vote in any election  
held solely or in part for the purpose of electing a candidate for the  
office of President, Vice President, Presidential elector, Member of  
the Senate, Member of the House of Representatives, Delegate from  
the District of Columbia, or Resident Commissioner, unless—  
(1) the election is held purely for some other purpose,  
(2) the election is authorized or statute or a local ordinance,  
(3) the election is held for a candidate for such other purpose,  
under a State constitution or statute or a local ordinance,  
a manner that an alien has the opportunity to vote for such  
other purpose but not on opportunity to vote for such other purpose,  
(4) any person who claims this election shall be fined under  
this title, imprisoned not more than one year, or both;  
(5) Criminal Amendment.—The table of sections at the begin-  
ning of chapter 29 of title 18, United States Code, is amended by  
inserting after the item relating to section 610 the following new  
item:  
"§ 612. Voting by alien."

State Capitol  
PO Box 942849  
Sacramento, CA 94249-0096  
(916) 319-2094  
Fax (916) 319-2194

Assembly  
California Legislature  
Elections and Redistricting

Assemblymember Sixty-Ninth District

Members  
Mark Wyland, Vice Chair  
Betty Karnette  
Johan Klehs  
Mark Leno  
Lloyd Levine  
Michael Villines

**INFORMATIONAL HEARING:  
LETTER RECEIVED BY LATINO VOTERS IN ORANGE COUNTY**

**OCTOBER 30, 2006, 10 A.M. TO NOON  
RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT OFFICES  
BOARD MEETING ROOM – 1ST FLOOR, ROOM # 107  
2323 NORTH BROADWAY AVENUE  
SANTA ANA, CA 92706**

**AGENDA**

- I. Opening Statements and Introductions**
- II. Overview of Relevant State and Federal Law**  
(a) Stephen J. Kaufmann, Partner, Kaufmann Downing LLP (confirmed)
- III. What Happened**  
(a) Councilmember Jose Solonio, City of Santa Ana, Letter Recipient (confirmed)  
b Tan Nguyen, Candidate, 47<sup>th</sup> Congressional District (invited)  
(c) Barbara Coc, Chairwoman, California Coalition for Immigration Reform (confirmed)
- IV. Possible Remedies for Future Situations**  
(a) Greg Robischon, Assistant District Attorney, Law and Motion, Orange County District Attorney's Office (confirmed)  
(b) Matt Stricker, Staff Attorney, Mexican American Legal Defense and Educational Fund (confirmed)  
c Anna Daniel, President, Los Arroyos (invited)  
(d) Zeke Hernandez, President, Santa Ana League of United Latin American Citizens, Council #147 (confirmed)  
(e) Eugene Lee, Project Director, Voting Rights Project, Asian Pacific American Legal Center (confirmed)  
(f) Assemblymember Lynn Daucher, 72<sup>nd</sup> Assembly District (confirmed)  
g Supervisor Lou Correa, 1<sup>st</sup> Supervisorial District (invited)  
(h) Mike Levin, Executive Director, Orange County Democratic Party or Frank Barbaro, Chair, Orange County Democratic Party (confirmed)  
i Scott Dough, Chair, Orange County Republican Party (invited)
- V. Public Testimony**
- VI. Closing Remarks**

# California Coalition for Immigration Reform

P.O. Box 2744-PMB-117 - Huntington Beach, CA 92649

Phone: (714) 665-2500 Fax: (714) 846-9632

WebSite: www.ccir.net E-Mail: barb@ccir.net



ALLIANCE FOR BORDER  
ENFORCEMENT  
(Irvine CA)

AMERICAN CITIZENS  
TOGETHER  
(Albany CA)

AMERICAN CIVIL  
RESPONSIBILITIES UNION  
(Anaheim CA)

AMERICAN NAT'L COUNCIL  
for IMMIGRATION REFORM  
(Washington DC)

ANTI-CRIME TASK FORCE  
(Anaheim CA)

ARIZONIANS FOR  
IMMIGRATION REFORM  
(Tucson AZ)

ASIAN-AMERICANS for  
BORDER CONTROL  
(Plymer CA)

BAY AREA COALITION for  
IMMIGRATION REFORM  
(San Francisco CA)

BLACK AMERICANS  
for FAMILY VALUES  
(Huntington Beach CA)

BORDERS  
(Austin TX)

CALIFORNIANS for  
IMMIGRATION CONTROL  
(Anderson CA)

CCIR II - VENTURA CO  
(Thousand Oaks CA)

CITIZENS for ACTION NOW  
(Orange County CA)

FLA-187 COMMITTEE  
(Pompano Beach FL)

FLORIDIANS for  
IMMIGRATION CONTROL  
(Dayton Beach FL)

IMMIGRATION CONTROL  
ADVOCATES of  
NORTHERN CALIFORNIA  
(San Rafael CA)

IMMIGRATION RFW NET-  
WORK OF SILICON VALLEY  
(Los Gatos CA)

LATINO-AMERICANS for  
IMMIGRATION CONTROL  
(Salinas CA)

MID-CITIES IMMIGRATION  
REFORM ADVOCATES  
(Peaslee AZ)

MONTREY BAY  
ACTION COMMITTEE I  
(Belmont CA)

MONTREY BAY  
ACTION COMMITTEE II  
(Belmont CA)

OHIO COALITION for  
IMMIGRATION REFORM  
(Columbus OH)

PATRIOT CITIZENS  
(Warren PA)

SAN DIEGO COUNTY  
TAXPAYERS  
(Alamo CA)

TAXPAYERS ACTION  
NETWORK  
(Fountain Valley CA)

TEXANS FOR FAIR  
IMMIGRATION  
(Austin TX)

TEXANS FOR  
IMMIGRATION REFORM  
(Houston TX)

WE STAND READY  
(Huntington Beach CA)

Ms Alva DeJarnett-Miller  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Dear Ms DeJarnett-Miller

August 24, 2007

RE MUR 5824

1 Sequence of Events On 7/21/07, CCIR received a letter from FEC dated 7/13/07 re a Complaint that CCIR may have violated Federal Election Campaign Act of 1971. That letter stated a copy of the complaint was enclosed, advised CCIR was required to respond to that Complaint in fifteen (15) days, referenced multiple other documents and advised that CCIR contact you with questions.

A) I personally contacted you, advised no copy of the Complaint was enclosed and therefore, we could not respond and further advised that NONE of the data referenced in this letter was included.

B) You were very helpful and advised you would get all data manually sent to CCIR. You did so and on 7/30/07, CCIR received data referenced in the original letter.

C) On 8/8/07, we spoke on the phone and you sent to me (via fax), a Complaint dated June 28, 2007 filed with the U.S. Federal Elections Commission by Gary Schone (of the Ill. State Attorney General's Office). I advised you that I reserved this and you advised me that the 15-day response time starts this date (8/10/07) with our response due by 8/25/07.

As defined in the original letter of July 13, 2007, I have "the opportunity to demonstrate in writing that no action should be taken against you and the California Coalition for Immigration Reform in this matter."

Attached (in writing) is our response to this charge of felony conspiracy.

Again, please accept my sincere appreciation for your courtesy and cooperation in helping us resolve this matter and I look forward to your response to these questions.

Thank you so much,

Barbara Coe  
CCIR Chairperson

2007 AUG 27 A 11:54

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COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Tan Nguyen



Thursday, May 17, 2007

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COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
2007 AUG 27 A 11:54

## Tan Nguyen cleared by state Attorney General

**Campaign mailer to Hispanics is determined to be legal, although federal investigation continues.**

By MARTIN WISCKOL  
The Orange County Register

A state investigation has found that Tan Nguyen's congressional campaign committed no crime last year when it mailed 14,000 letters telling immigrants they could be jailed for voting, the Attorney General's Office said Wednesday.

However, the U.S. Department of Justice confirmed that its voting-rights section is still investigating the incident.

"I'm very happy," Nguyen said of the state case's being closed. Asked if he might run for office again, he said, "You can bet on it."

Nguyen, a Republican nominee subsequently denounced by party leaders, tried unsuccessfully to upset Rep. Loretta Sanchez, D-Garden Grove, in the heavily Hispanic central county district.

The Spanish-language letters, sent to foreign-born Hispanic Democrats, warned recipients

that if "you are an immigrant, voting in a federal election is a crime that could result in jail time" or deportation, according to the widely circulated English translation

Senior Assistant Attorney General Gary Schons said no criminal intent could be proven

"We could not prove that there was an intent to intimidate lawfully registered voters," Schons said. "There is no doubt there was an intent to intimidate unlawfully registered voters."

Schons pointed to a line in the letter that said, "If you are a citizen of the United States, we ask that you participate in the democratic process of voting." He also said that when Sanchez beat incumbent Bob Doman in 1996, illegally registered voters casting ballots, a factor that may have provided a legitimate motive for the Nguyen letter.

Schons said the investigation found that despite his claim to the contrary, Nguyen knew about the letter before it was mailed.

Nguyen said again Wednesday that he did not know of the mailer until afterward, but was otherwise pleased with the news.

"It pretty much exonerated me," Nguyen said.

Amin David of Los Amigos of Orange County, one of several groups outraged by the letter, was unhappy with the state's decision.

"The letter was very clearly to keep (illegally registered) people from voting," he said. "We're hoping (the Department of Justice) sees through to the intent."

Schons said a key in the decision to close the case stemmed from the Spanish word "emigrado." He said the original draft of the letter — in English — warned those in the country illegally and those with green cards that they could face jail or deportation if they voted.

Schons said "those with green cards" was translated into "emigrado," which can be interpreted as meaning noncitizens with work permits. However, when "emigrado" was translated back into English after the letters were mailed, it became "immigrant," which carries no connotation of being a noncitizen with a work permit.

Contact the writer: 714-285-2867 or [mjvick@oregonator.com](mailto:mjvick@oregonator.com)

12044314085

**No Charges Against SoCal Congressional Candidate By DON THOMPSON, Associated Press Writer**

**Published: May 17, 2007 SACRAMENTO (AP)** - The state attorney general's office said Wednesday it will not file criminal charges against a former Southern California congressional candidate whose campaign mailed letters warning immigrants against voting.

Tan Nguyen, a Vietnamese immigrant, was trying to unseat Democratic Rep. Loretta Sanchez last year when his campaign sent out 14,000 letters to Hispanic immigrants claiming they could be deported or jailed for voting. The controversy erupted just three weeks before the Nov. 2, 2006, election. Sanchez beat Nguyen, a Republican, by nearly 24 percentage points to earn her sixth term representing the 47th Congressional District in Orange County.

Investigators searched Nguyen's headquarters, his home and the home of one of his staffers and seized computers, papers, political signs and other items, then conducted numerous interviews. But they could find no criminal intent, Senior Assistant Attorney General Gary Schons told The Associated Press in a telephone interview.

"We had to prove that they intended to intimidate lawfully registered voters. We found no evidence that they intended to intimidate lawfully registered voters. In fact, the first line of the letter said, 'If you're a lawfully registered voter, we encourage you to vote.' A lot of people missed that," Schons said.

The state turned its case file over to the voting section of the U.S. Department of Justice's civil rights division in February, but has not had a response, Schons said. A spokeswoman from the voting section said they had received the file from California investigators and were conducting their own inquiry.

Nguyen said he was relieved after hearing of the state's decision. The letter "intimidates no one. I feel right now very happy that I'm finally exonerated," he said.

One resident of the letter was unhappy that the state case was closed with no charges. "We are upset about it because they didn't inform us, they didn't even interview us, they didn't call us," said Benny Diaz, a Peruvian immigrant. "It's saying that it's OK to intimidate voters."

The letter, written in Spanish, was mailed to Democratic voters in Orange County. It said: "You are advised that if your residence in this country is illegal or you are an immigrant, voting in a federal election is a crime that could result in jail time."

Immigrants who have become naturalized U.S. citizens are eligible to vote.

As the case unfolded, Nguyen offered differing accounts of how the letters reached immigrant voters.

At first, he said an employee in his office might have used his campaign's voter database to send the letter without his knowledge. Nguyen refused to identify the office manager or the third party who he said mailed the letters.

Later, Nguyen told the AP that he purchased a database of 14,900 Hispanic voters from a Burbank-based political database company called Political Data Inc. so he could send Spanish-language fliers to voters. Nguyen said his campaign sent four fliers using the database before his office manager forwarded the names to an outside party.

He also blamed his opponent, Sanchez, for "fueling this hysteria" during an emotional press conference outside his Garden Grove campaign headquarters. On another occasion, his attorney blamed the media for mistranslating the Spanish-language letter into English.

The Orange County Republican Party called for Nguyen's resignation and he was criticized by Gov. Arnold Schwarzenegger and other local candidates and politicians.

Associated Press Writer Gillian Flaccus in Los Angeles contributed to this report.

12044314086

May 16, 2007 3:17 pm US/Pacific

## No Charges Over Campaign Letter To OC Immigrants

(AP) GARDEN GROVE, Calif The state attorney general's office says it will not file criminal charges against a congressional candidate whose campaign mailed letters warning Hispanic immigrants against voting.

Senior Assistant Attorney General Gary Schons told The Associated Press that investigators could find no criminal intent by Republican Tan Nguyen to intimidate lawfully registered voters.

Nguyen says he was relieved after hearing of the state's decision and felt "finally exonerated."

The Vietnamese immigrant tried to unseat Democrat Loretta Sanchez in the Nov. 2, 2006 election. His campaign sent out 14,000 letters warning deportation or jail for voting.

Sanchez beat Nguyen to earn her sixth term.

Investigators searched Nguyen's headquarters, his home and the home of one of his staffers, and seized computers.

Schons said the letter's first line said "If you're a lawfully registered voter, we encourage you to vote."

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